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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

ITALY

FROM 03 TO 14 MARCH 2014

IN ORDER TO EVALUATE THE ANIMAL WELFARE CONTROLS IN PLACE AT
SLAUGHTER AND DURING RELATED OPERATIONS

In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of a footnote.

Executive Summary

This report describes the outcome of a Food and Veterinary Office (FVO) audit in Italy from 3 to 14 March 2014 to evaluate the effectiveness of controls in ensuring animals are spared any avoidable pain, distress or suffering during their killing and related operations, as required by Regulation (EC) No 1099/2009. In particular: the assurances given by official controls regarding the business operators' compliance with applicable requirements of Regulation (EC) No 1099/2009; whether official controls are carried out in accordance with the relevant requirements of Regulation (EC) No 882/2004 and are suitable to ensure the effective implementation of Regulation (EC) No 1099/2009 and Member State's and Competent Authorities' compliance with requirements such as and the effectiveness of implementation of those requirements.

In addition to the main objective, and as the official controls in slaughterhouses contribute to controls on animal welfare on farms and welfare during transport, the audit also evaluated whether: indications of poor welfare conditions of chickens kept for the production of meat are being detected at slaughterhouse level; only animals which are fit for transport are sent to slaughterhouses, and whether this is supported by "emergency slaughter" on farm. Furthermore the audit sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

Overall the report concludes that the central competent authority (CCA) has started setting up a system which enables competent authorities (CAs) at slaughterhouses to carry out official controls and, if necessary, enforcement actions as required by Regulation (EC) No 1099/2009. The current control system still relies mainly on the requirements of Directive 93/119/EC. It is insufficient to cover all areas of the Regulation (EC) No 1099/2009 and cannot ensure the effectiveness and appropriateness of official controls in this area.

The slaughter of animals without unnecessary pain or suffering is generally ensured in red meat slaughterhouses. This is however not guaranteed in poultry slaughterhouses using electrical waterbath stunning where welfare problems are present from after the point of hanging until the point of entry to scalding tanks.

The CCA has set up a system to apply the derogation to carry out slaughter without stunning envisaged by Article 4(4) of the Regulation which requires further guarantees from the business operator prior to applying the derogation. CAs have also issued specific instructions concerning the slaughter on farm of animals that have suffered an accident and are unfit for transport. In all cases prior stunning of the animals is required and the on farm slaughter is usually carried out by slaughterhouse qualified staff.

The system developed by the CCA to carry out the monitoring of welfare indicators in poultry at slaughterhouses does not guarantee that such indicators of poor animal welfare in the holdings of origin will be detected at slaughterhouse level.

Measures taken are satisfactorily addressing recommendation 14 of the FVO audit report 2011-6048 to prevent the transport of unfit cull cows under false certificates and apply sanctions when unfit animals are transported.

The report makes a number of recommendations to the Italian authorities to address the deficiencies noted.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
ASL	Local Health Unit (<i>Azienda Sanitaria Locale</i>)
AWO	Animal welfare officer
BO	Business operator
CA	Competent Authority
CCA	Central Competent Authority
CDMR	Cumulative Daily Mortality Rate
CRenBA	National Reference Centre for Animal Welfare (<i>Centro di Riferenza Nazionale per il Benessere Animale</i>)
EU	European Union
FVO	Food and Veterinary Office
OV	Official veterinarian
PNBA	Animal Welfare National Control Plan (<i>Piano Nazionale del Benessere Animale</i>)
PNI	Multi-Annual National Control Plan (<i>Piano Nazionale Integrato</i>)
SOP	Standard operating procedure

1 INTRODUCTION

This audit took place in Italy from 3 to 14 March 2014 as part of the planned audit programme of the Food and Veterinary Office (FVO).

An opening meeting was held with the competent authorities of Italy on 3 March 2014. At this meeting, the objectives of, and itinerary for, the audit were confirmed by the mission team. The audit team comprised auditors from the FVO and a national expert and was accompanied throughout the audit by representatives from the Central Competent Authority (CCA) – the Department of Veterinary Public Health, Food Safety and Collegial Bodies for Health Protection (*Dipartimento della sanità pubblica veterinaria, della sicurezza alimentare e degli organi collegiali per la tutela della salute*).

2 OBJECTIVES

The main objective of the audit was to evaluate the effectiveness of controls in ensuring animals are spared any avoidable pain, distress or suffering during their killing and related operations, as required by Regulation (EC) No 1099/2009, in particular:

- The assurances given by official controls regarding the business operators' compliance with applicable requirements of Regulation (EC) No 1099/2009 and the business operators' level of compliance;
- Whether official controls on animal welfare at the time of killing, carried out in accordance with Regulation (EC) No 882/2004, are suitable to ensure the effective implementation of Regulation (EC) No 1099/2009; and
- The Member State's and Competent Authorities' compliance with specific requirements of Regulation (EC) No 1099/2009, such as guides to good practice, scientific support and certificates of competence and the effectiveness of the implementation of those requirements.

In addition to the main objective, and as the official controls in slaughterhouses contribute to controls on animal welfare on farms and welfare during transport, the audit also evaluated whether:

- Indications of poor welfare conditions of chickens kept for the production of meat are being detected at slaughterhouse level and subsequently reported and acted on as required by Article 3 and Annex III of Directive 2007/43/EC; and
- Only animals which are fit for transport are sent to slaughterhouses, as required by Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005, and whether this is supported by the implementation of procedures in Regulation (EC) No 853/2004 Annex III Section I Chapter VI, which facilitates "emergency slaughter" on farm.

Furthermore the audit sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

In pursuit of the objectives, the following sites were visited:

Meetings with the Competent Authorities			Comments
Competent Authority	Central	2	Opening and closing meetings
	Other	2	Meetings with the Regional and Local Competent Authorities of the regions of Campania and Lombardy
Site Visits			
Slaughterhouses		11	Three poultry and eight red meat slaughterhouses (one practising ritual slaughter) including three slaughterhouses with low throughputs

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

EU legal acts quoted in this report are provided in Annex 1 and refer, where applicable, to the last amended version. Annex 2 provides details of those legal requirements which are specifically relevant at each section of the report.

4 BACKGROUND

Regulation (EC) No 1099/2009 (hereafter “the Regulation”) applies from 1 January 2013 in all European Union (EU) Member States and repeals the previous EU legislation, Council Directive 93/119/EC, which was applicable in all Member States from 1995. The Regulation lays down rules for the killing of animals bred or kept for the production of food, wool, skin, fur or other products as well as the killing of animals for the purpose of depopulation and for related operations.

The Regulation requires a stronger system of Business Operator (BO) supervision than was previously the case, in particular regarding the layout, construction and equipment of slaughterhouses, handling and restraining of animals and stunning and slaughter. An animal welfare officer (AWO) is required to supervise operations and report directly to the BO. The manufacturers and/or retailers of restraining and stunning equipment must provide operating and maintenance instructions with all equipment sold. Competent Authorities (CAs) are required to ensure that appropriate courses leading to Certificates of Competence are available to relevant slaughterhouse staff and that guides to good practice are available to operators.

5 FINDINGS AND CONCLUSIONS

5.1 FRAMEWORK FOR CONTROLS

5.1.1 *Competent authorities involved*

Legal Requirements

Articles 4(1), 4(3) and 4(5) of Regulation (EC) No 882/2004.

Article 8 and 21 of Regulation (EC) No 1099/2009.

Findings

1. The organisation of the CA is described in the country profile, which is available at:
http://ec.europa.eu/food/fvo/ir_search_en.cfm
2. The official veterinarians (OVs) from Area B of the Local Health Units (Azienda Sanitaria Locale – ASL) have been carrying out controls on the welfare of animals during transport upon arrival at slaughterhouses as from November 2012. This task was previously carried out by OVs from Area C of the ASLs.
3. The National Reference Centre for Animal Welfare (Centro di Referenza Nazionale per il Benessere Animale – CReNBA) has also been designated by the CCA to set up the system for the organisation of training courses and exams for personnel carrying out slaughter of animals and related operations, and to assign certificates of competence.
4. The CCA indicated that the ASLs are responsible for ensuring that manufacturer's instructions for restraining and stunning equipment comply with the Regulation. It was however unclear as to which CA was responsible for ensuring that these instructions were publicly available over the Internet.
5. The Regional CAs and ASLs visited by the audit team had not set up procedures or instructions on how to identify manufacturers based in their territory of responsibility and assess their instructions for compliance with the requirements of Article 8 of the Regulation. The CAs in the two regions visited had not formally assessed manufacturers' instructions for compliance with the Regulation. (see also Section 5.3).
6. The CCA provided the audit team with a list of eight manufacturers of restraining and stunning equipment located in Italy. Instructions, concerning the use of the restraining and stunning equipment sold by these manufacturers, in a manner which ensures optimal conditions for the welfare of animals are not publicly available over the Internet although this is a requirement of Article 8 of the Regulation.
7. During the visits to the slaughterhouses a ninth manufacturer was identified by the audit team. The instructions seen at the slaughterhouses for this manufacturer's equipment included all the information required by Article 8 of the Regulation, however these instructions are also not publicly available over the Internet.

8. OVs in poultry slaughterhouses in the region of Campania did not have access to a system determining the stocking density of the broiler holdings supplying the slaughterhouses and establishing if additional information, necessary from house with densities above 33kg/m², should accompany the incoming birds. In Lombardy this was possible if the holding of origin was located in Lombardy since the regional database identifies each holding's stocking density (see also Section 5.5).
9. When problems are detected with the fitness of animals transported to the slaughterhouse, the OVs at the slaughterhouse notify the ASL responsible for the transporter and/or the holding (see also Section 5.4.1). In the large majority of cases the notifying CA did not receive feedback from the notified CA nor from the Legal Service responsible for pursuing the case.

5.1.2 Scientific support, Guides to good practice and Certificates of competence

Legal Requirements

Articles 13, 20, 21 and 29(2) of Regulation (EC) No 1099/2009.

Findings

10. The CCA has appointed the CRenBA to carry out the role of the independent scientific support body envisaged by Article 20 of the Regulation.
11. Two representatives from the CRenBA form part of a working group set up at CCA level to reply to queries and issues regarding the Regulation, including those envisaged by Article 20(1) of the Regulation.
12. No guides to good practice were being prepared by organisations of BOs. As a consequence the CCA had drafted a guide to good practice, in consultation with the CRenBA, to help the BOs produce their standard operating procedures (SOPs). These guidelines had been sent to the Regional CAs and non-governmental organisations for consultation as required by Article 13(2)(a) of the Regulation.
13. The CCA has recognised two qualifications obtained for other purposes as being equivalent to certificates of competence as envisaged by Article 21(7) of the Regulation but has not made this list publicly available via the internet.
14. The training course for certificates of competence is composed of a theoretical part and a practical part. Training courses are organised for three different groups of animal species: red meat species, white meat species (poultry, lagomorphs and farmed game), and fur animals.
15. The training courses may be organised by different bodies selected by the Regional CAs following approval by the CRenBA. These courses must be supervised by a specialised veterinarian trained by the CRenBA.
16. At the end of the course the participants have to pass an exam composed of ten multiple choice questions which are selected from a collection of 100 questions prepared by the CRenBA.

17. Participants who fail the exam on the first try can sit for the exam a second time. A second failure to pass the exam would force the operator to follow another training course before being able to sit for the exam again.
18. Training courses have not yet been organised for slaughterhouse operators in the region of Campania. Representatives of the ASLs visited in this region indicated that a first training course could possibly be organised in April 2014.
19. Training courses on the three groups of animal species had already been organised in the region of Lombardy.
20. Certificates of competence are assigned in three ways:
 - A. After following a training course for the certificate of competence and passing the exam (Article 21(1)(b) of the Regulation). A temporary certificate is given to these participants under the conditions envisaged by Article 21(5) of the Regulation.
 - B. Through the simplified procedure (three years' experience before 1 January 2013) envisaged in Article 29(2) of the Regulation. Operators applying for a certificate of competence through this procedure are requested to indicate the animal species and operations for which the certificate is required. These operators are obliged to follow a training course for the certificate of competence before 8 December 2015 and do not have to sit for the exam at the end of the training course;
 - C. Through a conditional procedure. In this case the operator is currently not in possession of three years' experience but will have gained it before the expiry date for the transitional provision indicated in Article 29(2) of the Regulation. These operators may only work under the direct supervision of another operator holding a certificate of competence until they follow the training course;
21. In all cases the templates for certificates of competence indicated one of the three groups of animal species for which they would eventually be issued (Article 21(3) of the Regulation). However, although all certificates seen by the audit team indicated the group of animal species for which the training had been followed, it was not possible to limit the selection to a particular species, or category of species, from species included in the group. This meant that when using the simplified or conditional procedures operators held a certificate of competence for red meat species when, for example, they had three years' experience only in the slaughtering of pigs.
22. All certificates seen by the audit team indicated the type of equipment and for which operations they had been issued as required by Article 21(3) of the Regulation.
23. The audit team saw certificates of competence issued using the simplified procedure which did not include all the operations in which the operator had at least three years' experience. In one such case the operator had not indicated experience in the handling of animals when applying for the certificate of competence and noticed the mistake after the certificate of competence had been issued. Following the BO's request to correct this mistake the authority issuing the certificate replied that this was not possible.

Conclusions on framework for controls

24. The CCA is complying with the specific requirements of the Regulation for the provision of scientific support. In addition it has gone beyond the requirements of the Regulation and is producing, with the collaboration of the scientific support, guides to good practice.
25. The system set up at national level for the training, examination and provision of certificates of competence ensures that the training provided to operators from all sectors involved in the slaughter of animals and related operations is harmonised. The certificates as issued may however attribute additional competences for which the operators do not have the relevant experience or practical training. This creates the risk that animals could be slaughtered by personnel that is not competent for the task.
26. CAs have been designated for most areas related to the welfare of animals at the time of slaughter and during related operations. However, the absence of evaluation of manufacturers' instructions for restraining and stunning equipment to ensure compliance with the Regulation does not guarantee that such equipment is manufactured and used according to the requirements of the Regulation. Furthermore, the unavailability over the Internet of manufacturers' instructions for stunning and restraining equipment may hinder BOs from utilising this equipment in a manner which ensures optimal welfare for the animals being slaughtered.

5.2 PLANNING OF OFFICIAL CONTROLS

Legal Requirements

Articles 3, 41 and 42 of Regulation (EC) No 882/2004.

Article 4(9) of Regulation (EC) No 854/2004.

Findings

27. The multi-annual national control plan (*Piano Nazionale Integrato* – PNI) for 2011-2014 has not been updated to take into account that new legislation, i.e. the Regulation, is in place (Article 42(3) of Regulation (EC) No 882/2004) and applicable since 1 January 2013.
28. The CCA issues each year an animal welfare national control plan (*Piano Nazionale del Benessere Animale* – PNBA) which supplements the PNI and is adapted with the main priorities decided for that year. The PNBA for 2014 has not been finalised yet and is expected to be by the end of March. The main priority in the PNBA for 2013 was the welfare of broilers during production and included an instruction for the monitoring at slaughterhouse level of the cumulative daily mortality rate (CDMR), percentage of animals dead on arrival, ante-mortem inspection, percentage of total rejections at post-mortem and levels of footpad dermatitis (see also Section 5.5).
29. Other than the above instruction from the CCA in the 2013 PNBA neither the CCA nor the regional CA of Campania or the ASLs visited by the audit team had identified any particular risk (sector, killing method or period of the year) that could influence animal welfare

(Article 3(a) of Regulation (EC) No 882/2004) at slaughter and be targeted for increased controls.

30. The regional CA of Lombardy identified a particular risk for animal welfare in connection with the transport of weakened or unfit cull cows from dairy production to slaughterhouses. In order to address that risk a specific project for 2013 and 2014 was implemented in this region (see also Section 5.4.1).
31. There is a system in place to establish an overall risk categorisation of establishments. Amongst many other parameters this system takes into account the BOs' past records as well as animal welfare requirements (structural, operational and some documental). However, the most recent "risk categorisation checklists" seen by the audit team still refer to the animal welfare requirements in Directive 93/119/EC and not the Regulation.
32. There is permanent presence of OVs in slaughterhouses during slaughter operations. In addition depending on the overall risk category (ranging from low to high risk but with slaughterhouses always in the medium to high risk range) the frequency of "inspections", "audit" and "surveillance" checks increases. These three different types of checks are all performed by the ASL OVs responsible for the slaughterhouses but with different checklists and levels of detail. The risk categorisation of each establishment is adjusted annually based on the results of those three types of checks.

Conclusions

33. As the PNI, which includes objectives for animal welfare controls, has not been amended to take the Regulation into account some structural and operational requirements necessary to ensure the welfare of animals at the time of killing and related operations are not being controlled.
34. The system for risk categorisation of establishments includes animal welfare as one of its parameters. However, as it had not been updated yet to take into account the requirements of the Regulation the slaughterhouse risk categorisation from 2013 did not include full evaluations of these requirements possibly resulting in inaccurate risk categorisations.

5.3 OFFICIAL CONTROLS ON BUSINESS OPERATORS' OBLIGATIONS

Legal Requirements

Article 8, 9 and 10(2)(a) of Regulation (EC) No 882/2004.

Article 5(1)(c) and Section I, Annex I, to Regulation (EC) No 854/2004.

Articles 6 and 17 of Regulation (EC) No 1099/2009.

Findings

35. Template report forms, checklists and respective guidance for "inspections", "audit" and

"surveillance" checks seen in both regions visited referred to Directive 93/119/EC. Nevertheless in some report forms evidence was available, in comment fields, that a few requirements of the Regulation had been evaluated. Namely: provision of certificates of competence for staff, designation of an AWO and existence of SOPs for animal welfare. There is a working group with regional representatives developing and testing checklists that will include the requirements of the Regulation. These are expected to be discussed again at the beginning of April 2014 but it is still uncertain when they will be finalised.

36. The regional CA of Lombardy recently distributed, to all the ASLs in the region, the draft checklist for slaughterhouses covering the requirements of the Regulation but this had not been used yet in any of the slaughterhouses visited.
37. In the region of Campania the lack of instructions or procedures from the CCA had not been compensated from the regional or ASL level and reports of official controls stated that BOs had SOPs covering animal welfare but showed no evidence that those SOPs had been evaluated by the official services.
38. In the region of Lombardy even without central or regional level instructions some OVs could provide documented evidence that their checks on the slaughterhouse SOPs had verified not only that animal welfare SOPs were present but that these also included evaluation against some requirements of the Regulation and requests to the BOs to modify them.
39. All slaughterhouses visited had SOPs and designated AWOs, as required by Articles 6 and 17 of the Regulation.
40. In all slaughterhouses visited by the audit team there was no documented evidence of the AWOs' actions to improve animal welfare with one exception in the region of Lombardy.
41. In a few of the slaughterhouses visited by the audit team the planning of slaughter (including the timely arrival of animals for slaughter, dealing with unexpected breakdowns on the slaughter-line or interrupted power supply, etc.) was included in their SOPs.
42. All the SOPs seen by the audit team were incomplete or were not fully clear on who was responsible for particular tasks. The most frequent omissions, which had generally not been detected by the OVs, were:
 - the monitoring procedures required by Article 16 of the Regulation;
 - the maximum stun-to-stick interval which is a key parameter for most of the methods of stunning included in Annex I to the Regulation;
 - the absence of signs of life and the verification of these signs prior to further dressing or scalding (Point 3.2 of Annex III to the Regulation);
 - in the case of poultry slaughterhouses visited, the immediate availability of backup stunning equipment was not indicated in the SOPs and none of the SOPs clearly explained how the minimum amperage required by Annex I of the Regulation would be obtained.

43. Most of the SOPs seen by the audit team took into consideration manufacturers' instructions, as required by Article 6(2)(a) of the Regulation. The OV's had not evaluated these instructions which had either not been updated to include all the specifications of Article 8 of the Regulation or, in the case of instructions updated after 1 January 2013, lacked one or more of these specifications particularly the species, category and weight of animals for which the equipment is intended to be used.

5.3.1 Layout, construction, equipment and approval of slaughterhouses

Legal Requirements

Article 31(2) of Regulation (EC) No 882/2004.

Article 4(3) of Regulation (EC) No 853/2004.

Articles 14 and 29(1) of Regulation (EC) No 1099/2009.

Findings

44. Two of the slaughterhouses visited by the audit team had begun operations after 1 January 2013. In both cases the instructions from the CA for BOs on how to apply for approval, required by Article 31(2) of Regulation (EC) No 882/2004, have not been modified to include an indication of the maximum capacity of the lairages, the maximum line speed and the categories and species of animals for which the stunning and restraining equipment may be used as required by Article 14(2) of the Regulation. Both application files seen by the audit team did not include this information.
45. The guidance to OV's on the approval of new slaughterhouses does not yet include requirements from the Regulation. Nevertheless, the CA's records related to the approval of the slaughterhouse in the region of Campania included a few references indicating that some of the requirements of the Regulation had been evaluated during the process of approval of the slaughterhouse.
46. From the three poultry slaughterhouses visited:
- Only one of the slaughterhouses had a breast comforter throughout the length of the line from point of shackling until entry into the waterbath stunner as required by Point 5.8 of Annex II to the Regulation. The slaughterhouses were in operation before 1 January 2013 and have until 8 December 2019 to install this equipment as envisaged by the transitional provision in Article 29(1) of the Regulation.
 - In two slaughterhouses the area through which the chain carried conscious birds was very noisy, preventing them from relaxing (vocalisation, head raised) before entering the waterbath stunner.
 - In one slaughterhouse in the region of Campania the amp-meter for the waterbath stunner could not register the intensity applied. This had not been noted by the OV although it was also a requirement of Directive 93/119/EC. The layout of this slaughterhouse did not make it possible to see the birds entering the waterbath or detect eventual problems related to animal welfare at this point.

- In one slaughterhouse there was limited lairage capacity. This factor was however taken into consideration by the planning in the SOP thus avoiding unnecessary distress and suffering to the birds.
47. In two of the bovine slaughterhouses visited there were structural problems that increased the stun-stick interval up to two to three minutes:
- One structure did not facilitate the shackling and hoisting of the stunned animal. The operator had difficulty in reaching the stunned animals' hind legs and had very little space to manoeuvre;
 - The slaughter line from stun to stick areas in the second slaughterhouse was long and the line speed until the point of sticking was slow.
48. In the slaughterhouses where electrical stunning equipment was used, the electrical parameters were not recorded (Points 4.1 and 5.10 of Annex II to the Regulation) although in some slaughterhouses this was possible. These slaughterhouses were operating under the transitional provision envisaged by Article 29(1) of the Regulation and have until 8 December 2019 to start recording the electrical parameters.

5.3.2 Handling and restraining operations at slaughterhouses

Legal Requirements

Article 9 and 15 of Regulation (EC) No 1099/2009.

Findings

49. In the three poultry slaughterhouses visited:
- Operators handled the birds carefully and calmly without stressing them.
 - The poultry were hung on dry shackles in both slaughterhouses visited in the region of Campania hence the proper passage of the electrical current through the body to stun the animal was not facilitated. This is not in accordance to Point 6.2 of Annex I to the Regulation and had not been noted by the OVs in the slaughterhouses although it would have also been non-compliant to Directive 93/119/EC. In one of these slaughterhouses a shower was present to wet the shackles but it was positioned in the middle of the waterbath.
50. In the eight red meat slaughterhouses visited:
- Handling in the lairages was in line with most of the requirements of Annex III to the Regulation. Nevertheless in some slaughterhouses the audit team noted some handling issues prior to entry to the restraining boxes:
 - In one slaughterhouse in the region of Lombardy, the operator had difficulty to make the pigs enter the corridor to the restraining box; the animal was stressed but not mistreated;

- In another slaughterhouse in the region of Campania the bovines were clearly reluctant to enter the stunning box. The operator attempted to drive them unsuccessfully and had to systematically resort to applying pressure with a stick to sensitive parts of the animal and in most cases could only move animals into the restraining box with the persistent use of an electric goad. This is not in compliance with Points 1.8 and 1.9 of Annex III to the Regulation. In this SH the restraining box could not be adapted to the different sizes of the animals and caused difficulties to the stunning operator in properly applying the stunning method (Point 3.1(a) of Annex II to the Regulation).
- In the slaughterhouse that carried out slaughter of bovines as prescribed by religious rites individual mechanical restraint was used to restrain these animals as required by Article 15(2) of the Regulation.

5.3.3 *Stunning methods and checks on stunning*

Legal Requirements

Articles 5, 9 and 16, and Annex I of Regulation (EC) No 1099/2009.

Findings

51. In the three poultry slaughterhouses visited:

- The two poultry slaughterhouses in the region of Campania used a manual bleeding cut and the operators seen cut only one carotid of the birds. This is not in compliance with Point 3.2 of Annex III to the Regulation which requires that both carotids are cut in the case of simple stunning. In one of these slaughterhouses the birds recovered consciousness during bleeding due to the incorrect cut and 8-10% of the birds entered the scalding tank alive.
- The poultry slaughterhouse in the region of Lombardy used an automatic neck-cutting device which cut both carotids as envisaged by Points 3.2 and 3.3 of Annex III to the Regulation.
- No backup stunning equipment was immediately available on the spot in any of the three poultry slaughterhouses although this is required by Article 9(2) of the Regulation.
- One poultry slaughterhouse utilised during stunning an amperage below the minimum current required by Annex I of the Regulation, whereas in another slaughterhouse the amperage could not be determined. In these slaughterhouses the absence of the backup stunning equipment resulted in birds having their neck cut although they had escaped the waterbath and/or were clearly conscious.
- In two of the slaughterhouses the birds did not relax (vocalisation, head raised, some wing flapping) between the moment of hanging and entry into the waterbath stunner. Poultry suffered pre-stun shocks in one of these establishments.

52. In the eight red meat slaughterhouses visited:

- In general the stunning of animals was effective.
- In two bovine slaughterhouses where the stun-to-stick intervals were very long (two to three minutes) the animals showed signs of recovery of consciousness. Furthermore, although the SOP for one of these slaughterhouses correctly described signs of consciousness to be evaluated, as required by Article 5 of the Regulation, and a second shot to be applied in case of ineffective stunning, as envisaged by Article 6(2)(c) of the Regulation, the operators did not detect the described signs of recovery of consciousness and did not apply a second shot unless instructed to do so by the AWO or the OV.
- Backup stunning equipment was immediately available on the spot in all slaughterhouses as required by Article 9(2) of the Regulation.

53. Records of maintenance were kept in all the slaughterhouses visited, as required by Article 9(1) of the Regulation.

54. Records of monitoring of the effectiveness of stunning, required by Article 16 of the Regulation, were seen in only two of the slaughterhouses visited.

5.3.4 Slaughter without stunning

Legal Requirements

Article 4(4) of Regulation (EC) No 1099/2009.

Findings

55. Legislative Decree 131 of 2013 requires BOs to inform the ASL of their intention to carry out slaughter without stunning, as envisaged by Article 4(4) of the Regulation, so that this information is forwarded to the CCA. Applications made by BOs to perform slaughter as prescribed by religious rites have to include copies of the certificates of competence of the operators involved and letters of approval of the operator by the interested religious community.

56. In the red meat slaughterhouse visited carrying out slaughter as prescribed by religious rites this type of slaughter was carried out on bovines of all ages and stunning using non-penetrative captive bolt was performed prior to the bleeding of the animals. This method of stunning is permitted in ruminants only if the live weight is less than 10kg according to Table 1 of Annex I of the Regulation.

57. In one of the poultry slaughterhouses visited the amperage applied was not in compliance with the Regulation's minimum requirements. The BO has the opinion that this was allowed because the stunning equipment was still regulated by Annex C Point 3.B.1 sub-paragraph 2 of Directive 93/119/EC due to the transitional period given by Article 29(2) of the Regulation. The CCA and the representative of the ASL were of the same opinion. This Article has however been repealed when the Regulation came into force.

Conclusions on Official controls on business operator's obligations

58. The existing documented procedures and instructions to carry out official controls on the protection of animals during slaughter and related operations still refer to Directive 93/119/EC and were insufficient to cover all areas of the Regulation and support consistency and high quality of controls for compliance. Although official controls are still mainly being carried out according to Directive 93/119/EC the controls in place are not effective to ensure compliance with that Directive. Nonetheless, the fact that all BOs have set up SOPs and appointed AWOs contributes to ensure the protection of animals during slaughter and related operations.
59. Whereas the slaughter of animals without unnecessary pain or suffering is generally ensured in red meat slaughterhouses, in poultry slaughterhouses the welfare of the birds is compromised due to the absence of backup stunning equipment, the wrong amperage used and the incorrect bleeding cut performed. The fact that SOPs in slaughterhouses do not include all the criteria required by the Regulation hinders BOs from identifying the problems causing unnecessary suffering to the animals.
60. Since BOs in operation before 1 January 2013 have already begun preparations to install breast comforters and instruments to record the electrical parameters applied during stunning they should ready be to meet the deadline of the transitional period.
61. The incomplete guidance to OV's on the requirements of the Regulation for the approval of new slaughterhouses does not guarantee that all necessary requirements are verified before approval.
62. The CCA has set up a system to apply the derogation to carry out slaughter without stunning envisaged by Article 4(4) of the Regulation which requires further guarantees from the BO to better safeguard animal welfare. The CCA is however still allowing BOs of poultry slaughterhouses which were operating before the Regulation came into force to apply currents for waterbath equipment that are below the minimum required by the Regulation.

5.4 KILLING ANIMALS OUTSIDE SLAUGHTERHOUSES

Legal Requirements

Articles 6 and 7 of Regulation (EC) No 1099/2009.

Findings

63. The CCA and Regions have not issued procedures/instructions to the ASLs on how to ensure that persons involved in killing animals on farms (due to illness, very slow growth rate, etc., i.e. the killing of non-productive animals) do so in accordance with SOPs and have the appropriate competence as required by Articles 6 and 7 of the Regulation.

5.4.1 *Emergency slaughter*

Legal Requirements

Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005.

Annex III Section I Chapter VI of Regulation (EC) No 853/2004.

Findings

64. The CCA issued in August 2006 an instruction on how to deal with animals that, in line with Regulation (EC) No 853/2004 Annex III Section I Chapter VI, can undergo emergency slaughter outside the slaughterhouse. This instruction covers all the requirements and additionally specifies that particular care is to be taken during post-mortem inspection of these carcasses at the slaughterhouse and lists some conditions that automatically disqualify the carcass from being approved for human consumption.
65. One of the ASLs visited in the region of Campania also issued and distributed in 2011 its own instruction on this subject, based on the August 2006 CCA note and relevant legislation but not including the Regulation although it had already been published.
66. The regional CA of Lombardy issued in 2008 a circular letter (HI.2008.0003554) on the same issue and introducing the practice of designating slaughterhouses for this category of carcasses.
67. ASLs visited in the region of Lombardy informed the audit team that slaughterhouses had been designated to receive carcasses of bovine animals killed on farm for welfare reasons that rendered them unfit for transport. They also informed that the on farm killing was usually done by slaughterhouse workers but that this was not a mandatory requirement.
68. Recommendation 14 of the FVO audit report 2011-6048 recommended that the CCA should take appropriate actions and apply sanctions when non-compliances are identified as required by Articles 54 and 55 of Regulation (EC) No 882/2004, in particular in relation to the transport of unfit animals and the use of misleading or false certification in this matter.
 - The CCA took actions to address these shortcomings by:
 - spreading the information on the relevant findings and recommendations to all CAs and stakeholders (private veterinarians, farmers, transporters and meat producers associations);
 - holding meetings with the national federation of veterinarians to discuss training needs for veterinarians issuing certificates of fitness for transport. This national federation has produced its own training (e-learning) and made it available to its associates;
 - meeting with CReNBA to produce a poster for farmers on cows unfit for transport;
 - publishing an Italian translation of the "Practical Guidelines to Assess Fitness for Transport of Adult Bovine Animals" originally published by Eurogroup for Animals,

and informing all relevant stakeholders of that publication;

- issuing a national report template to be used by CAs to notify the police and legal services when false certificates of fitness for transport are detected.
- Furthermore, the regional CA of Lombardy initiated a project for 2013 and 2014 on "Emergency slaughter at farms". The intent was to help prevent dairy holdings from transporting weaker and possibly unfit bovine animals (cull cows) for slaughter. The audit team was provided with data showing that after the beginning of that project in 2013 the number of cull cows emergency slaughtered on farm had increased five-fold in the region of Lombardy when compared with 2012.
- Evidence was seen of notifications (to ASLs approving the transporter and/or of the holding of origin of the animal) and proposal of sanctions to transporters (fines of approx. 2000€) by OVAs at slaughterhouses when detecting that cull cows unfit for transport had been brought in for slaughter. In the two slaughterhouses visited dealing with cull cows all the animals detected on arrival as unfit for transport and object of notifications or sanctions came without a veterinary certificate of fitness for transport.

5.4.2 *Killing of fur animals*

Legal Requirements

Article 7(3) of Regulation (EC) No 1099/2009.

Findings

69. No instruction has been issued by the CCA, relevant regions or ASLs to remind BOs of fur farms of their obligation to provide advance notification to the competent authority on when the animals are to be killed. Nevertheless training on the Regulation for these BOs in the region of Lombardy, provided at the end of 2013, did make reference to this obligation for fur farmers.
70. The audit team received documented evidence of notifications made by some fur farm BOs, and of one corresponding on-site inspection by the official services for the most recent killing period.

Conclusions on Killing animals outside slaughterhouses

71. The system in place has not been modified to ensure that persons involved in killing non-productive animals on farm do so in accordance with SOPs and have the appropriate competence.
72. The CA in Italy have implemented procedures to facilitate "emergency slaughter" on farms under Regulation (EC) No 853/2004, consequently helping to ensure that only animals that are fit for transport are sent to slaughterhouses as required by Regulation (EC) No 1/2005.
73. The measures taken by the CCA and the regions are satisfactorily addressing recommendation 14 of the FVO audit report 2011-6048, preventing the transport of unfit

cull cows under false certificates and applying sanctions when unfit animals are transported.

5.5 MONITORING OF BROILER WELFARE INDICATORS AT THE SLAUGHTERHOUSE AND FOLLOW UP

Legal Requirements

Article 3(1)(b) and Point 1.1 of Annex III of Directive 2007/43/EC.

Findings

74. The PNBA for 2013 provides instructions for the monitoring of welfare indicators in broilers at the slaughterhouse as required by Annex III of Directive 2007/43/EC. When following the instructions of this plan one of the indicators to evaluate is the CDMR. The formula indicated to calculate the CDMR is incorrect and instead calculates the total mortality rate.
75. The PNBA for 2013 also indicates that the CDMR is to be found on the documents accompanying the birds as is required by Point 1.1 of Annex III of Directive 2007/43/EC. The accompanying documents seen by the audit team varied between regions and none of these documents had a specific field requiring the CDMR.
76. The trigger level for the CDMR has been set at 2% + 0.12% multiplied by the slaughter age of the flock in days. This is significantly higher than the value of the maximum CDMR permitted to keep broilers at stocking densities above 39kg/m² indicated in Point 1(c) of Annex V to Directive 2007/43/EC.
77. In the region of Lombardy the documents accompanying the birds had a specific field to indicate when the stocking density on the holding was higher than 33kg/m² and another field for the daily mortality rate. In the region of Campania, where there are no broiler holdings having stocking densities above 33kg/m², this information was not required in the accompanying documents.
78. The OV's working in slaughterhouses in the region of Lombardy could access the regional database to view the list of holdings situated within this region which held the derogation to keep birds at such densities. The OV's in slaughterhouses in the region of Campania were not able to do so. In neither of the regions visited was it possible to access information on the stocking densities of broiler holdings located in other regions.

Conclusions

79. Although a procedure has been developed by the CCA to carry out the monitoring of welfare indicators in poultry at slaughterhouses, the inaccuracy of these procedures and the lack of availability of information regarding the flocks do not guarantee that this monitoring system will help to identify, at slaughterhouse level, indicators of welfare problems in the holdings of origin.

5.6 ACTIONS TAKEN TO ADDRESS NON COMPLIANCES

Legal Requirements

Articles 22 and 23 of Regulation (EC) No 1099/2009.

Findings

80. Legislative Decree 131 of 2013 lays down the rules on penalties applicable to infringements to Regulation (EC) No 1099/2009. This decree permits the OV's to issue administrative fines when non-compliances to Regulation (EC) No 1099/2009 are detected as required by Article 23 of the Regulation. The range of fines varies between a minimum of €300 and a maximum of €6000, depending on the infringement.
81. The Legislative Decree also includes actions envisaged by Article 22 of the Regulation with the exception of Article 22(c) and (e) i.e. the possibility to suspend or withdraw certificates of competence and to require the amendment of manufacturers' instructions. The CCA indicated that the suspension and withdrawal of certificates of competence is envisaged in the national law of 7 August 1990 and its amendments.
82. In one of the slaughterhouses visited by the audit team in the region of Campania the BO was fined €1000 for not having appointed an AWO although a letter from the ASL (Protocol number 23203/13) had been sent three months prior to the date of the fine to all BOs reminding them of this obligation. The BO appointed an AWO three weeks after the administrative fine was issued.

Conclusion

83. The CCA has set up a system which enables CAs at slaughterhouses to apply most of the actions envisaged by the Regulation when non-compliances are detected. This system however does not formally provide for, if needed, requesting the amendment of manufacturers' instructions for the correct use of restraining and stunning equipment.

5.7 EVALUATION AND REVIEW OF OFFICIAL CONTROLS

5.7.1 Supervision

Legal Requirements

Articles 4 and 8(3) of Regulation (EC) No 882/2004.

Findings

84. The results and details of all three types of reports ("inspection", "audit" and "surveillance") of the checks of official controls, by OV's at the slaughterhouses, were registered at regional databases and available to the OV's superiors in the ASLs. Those superiors carried out periodic checks of compliance of performed checks with planned frequencies, according to

risk category, and with reporting requirements. However, those three types of official controls are still performed with checklists and guidelines referring to Directive 93/119/EC (see also Section 5.3).

85. The sometimes insufficient capability of slaughterhouse OVs to detect shortcomings concerning compliance with requirements of the Regulation (see also Section 5.3) had not been noted by their supervision.

5.7.2 *Internal audits*

Legal Requirements

Article 4(6) of Regulation (EC) No 882/2004.

Findings

86. Central level audits of the regions have already covered in one region animal welfare at slaughter under the requirements of the Regulation. The audit report noted some non-compliances with the Regulation detected during the two on-site visits to slaughterhouses. In addition it noted that the responsible official services had not identified those same shortcomings in their reports.
87. Corrective actions were requested from the region and evidence was seen that for this and other audits the regions had provided information on actions proposed and effectively carried out.
88. None of the more recent regional level audits over the ASLs in the two regions visited had covered specifically animal welfare at slaughter. However, the region of Lombardy had included it in their planning for 2014.
89. Regional "systems audits" performed in both regions would also have some implications on animal welfare at slaughter, while other sector specific audits had covered animal welfare at farm or during transport.

Conclusions on Evaluation and review of official controls

90. The current lack of adaptation of procedures, checklists and instructions to the requirements of the Regulation has resulted in a system which does not guarantee that the supervision of official controls in this area ensures their effectiveness and appropriateness.
91. The central level audits over the regions covering animal welfare at slaughter contribute to enhance the effectiveness of the controls as they noted some relevant shortcomings with the Regulation requirements at slaughterhouse level and with regards to the official services supervision of it.

6 OVERALL CONCLUSIONS

The CCA has started setting up a system which enables CAs at slaughterhouses to carry out official controls and, if necessary, enforcement actions as required by Regulation (EC) No 1099/2009. The current control system, including the multi-annual national control plan, the risk categorisation of establishments and other documented procedures, still relies mainly on the requirements of Directive 93/119/EC and is therefore insufficient to cover all areas of the Regulation (EC) No 1099/2009 and cannot ensure the effectiveness and appropriateness of official controls in this area.

The system for certificates of competence is well established and ensures that the training provided is harmonised. Inaccuracy in the certificate template is however hindering the effectiveness of this system.

All BOs have set up SOPs on the slaughter of animals and related operations and appointed AWOs. The slaughter of animals without unnecessary pain or suffering is generally ensured in red meat slaughterhouses. This is however not guaranteed in poultry slaughterhouses using electrical waterbath stunning equipment where welfare problems are present from after the point of hanging until the point of entry to scalding tanks but are not being detected by the BOs or the CAs.

The CCA has set up a system to apply the derogation to carry out slaughter without stunning envisaged by Article 4(4) of the Regulation which requires further guarantees from the BO prior to applying the derogation.

CAs have issued specific instructions concerning the slaughter on farm of animals that have suffered an accident and are unfit for transport. In all cases prior stunning of the animals is required and the on farm slaughter is usually carried out by slaughterhouse qualified staff.

The system developed by the CCA to carry out the monitoring of welfare indicators in poultry at slaughterhouses does not guarantee that such indicators of poor animal welfare in the holdings of origin will be detected at slaughterhouse level.

The measures taken by the CCA and the regions are satisfactorily addressing recommendation 14 of the FVO audit report 2011-6048, preventing the transport of unfit cull cows under false certificates and applying sanctions when unfit animals are transported.

7 CLOSING MEETING

A closing meeting was held on 14 March 2014 with representatives of the CA, at which the main findings and preliminary conclusions of the audit were presented by the audit team.

8 RECOMMENDATIONS

N°.	Recommendation
1.	To ensure that certificates of competence issued correctly indicate for which categories of animals, type of equipment and for which of the operations listed in Article 7(2) or (3) of Regulation (EC) No 1099/2009 the certificate is valid, as required by Article

N°.	Recommendation
	21(3) of the Regulation. Conclusions and findings upon which this recommendation is based: 21, 23 and 25
2.	To set up a system so that, when necessary, the CAs can require manufacturers to amend the instructions for the use of restraining and stunning equipment as foreseen by Article 22(e) of Regulation (EC) No 1099/2009. Conclusions and findings upon which this recommendation is based: 5, 26, 81 and 83
3.	To ensure that manufacturers of restraining and stunning equipment make the instructions for this equipment publicly available over the Internet as required by Article 8 of Regulation (EC) No 1099/2009. Conclusions and findings upon which this recommendation is based: 6, 7 and 26
4.	To update the system for risk categorisation of slaughterhouses so as to take into account the requirements of Regulation (EC) No 1099/2009, as required by Article 3 of Regulation (EC) No 882/2004. Conclusions and findings upon which this recommendation is based: 29, 31 and 34
5.	To update the multi-annual national control plan so as to take into account Regulation (EC) No 1099/2009 instead of Directive 93/119/EC, as required by Article 42(3) of Regulation (EC) No 882/2004. Conclusions and findings upon which this recommendation is based: 27, 29 and 33
6.	To update existing documented procedures and instructions for controls of animal welfare at the time of slaughter so as to include the requirements of Regulation (EC) No 1099/2009. Conclusions and findings upon which this recommendation is based: 35, 37, 40, 42, 43, 45 – 51, 54, 58, 59, 63, 65, 71, 85 and 90
7.	To update the instructions for approval of slaughterhouses so that the requirements of Article 14(2) of Regulation (EC) No 1099/2009 are included in these instructions as required by Article 31(2) of Regulation (EC) No 882/2004. Conclusions and findings upon which this recommendation is based: 44 and 61
8.	To enforce the stunning parameters specified in Annex I of Regulation (EC) No 1099/2009 for electrical waterbath stunners so as to ensure the loss of consciousness and sensibility of the animals from the moment of stunning until the moment of death, as required by Article 4(1) of Regulation (EC) No 1099/2009. Conclusions and findings upon which this recommendation is based: 51, 57, 59 and 62
9.	To ensure that the daily mortality rate and, where applicable, cumulative daily mortality rate are included in the documents accompanying broilers transported to slaughterhouses as required by Point 1.1 of Annex III of Directive 2007/43/EC. Conclusions and findings upon which this recommendation is based: 75, 77 and 79

N°.	Recommendation
10.	To set up a system which ensures that OVs in slaughterhouses are provided with the correct instructions and necessary information, in particular the stocking density of the holding of origin, the daily mortality rate and, where applicable, the cumulative daily mortality rate, in order to carry out monitoring of indicators of poor animal welfare as required by Point 2 of Annex III of Directive 2007/43/EC. Conclusions and findings upon which this recommendation is based: 8, 74, 75, 78 and 79

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2014-7075

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 1099/2009	OJ L 303, 18.11.2009, p. 1-30	Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing
Dir. 93/119/EC	OJ L 340, 31.12.1993, p. 21-34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Reg. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Reg. 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Dir. 2007/43/EC	OJ L 182, 12.7.2007, p. 19-28	Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production
Reg. 1/2005	OJ L 3, 5.1.2005, p. 1-44	Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97

5.1. Framework for controls

5.1.1. Competent authorities involved

Article 4(1) of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for official controls.

Article 4(3) of Regulation (EC) No 882/2004 provides for efficient and effective co-ordination between competent authorities.

Article 4(5) of Regulation (EC) No 882/2004 requires that, when, within a competent authority, more than one unit is competent to carry out official controls, efficient and effective co-ordination and co-operation shall be ensured between the different units.

Article 8 of Regulation (EC) No 1099/2009 requires manufacturers of restraining and stunning equipment to sell these products only when accompanied by appropriate instructions which shall also be made publicly available via the Internet.

Article 21 of Regulation (EC) No 1099/2009 requires Member States to designate the competent authority responsible for (a) ensuring that training courses are available for personnel involved in killing and related operations (b) delivering certificates of competence attesting the passing of an independent final examination; (c) approving training programmes of the courses.

5.1.2. Scientific support

Article 20 of Regulation (EC) No 1099/2009 requires each Member State to ensure that sufficient independent scientific support is available to assist the competent authorities, upon their request, by providing: (a) scientific and technical expertise relating to the approval of slaughterhouses and the development of new stunning methods (b) scientific opinions on the instructions provided by manufacturers on the use and maintenance of restraining and stunning equipment (c) scientific opinions on guides to good practice (d) recommendations for the purposes of this Regulation, in particular in relation to inspections and audits (e) opinions on the capacity and suitability of separate bodies and entities to fulfil the requirements regarding certificates of competence.

5.1.3. Guides to good practice

Article 13 of Regulation (EC) No 1099/2009 requires each Member State to encourage the development and dissemination of guides to good practice to facilitate the implementation of this Regulation. When such guides to good practice are drawn up, they shall be developed and disseminated by organisations of BOs: (a) in consultation with representatives of non-governmental organisations, competent authorities and other interested parties (b) having regard to scientific opinions as referred to in Article 20(1)(c).

The competent authority shall assess guides to good practice in order to ensure that they have been developed in accordance with the above paragraph and that they are consistent with existing EU guidelines.

Where organisations of BOs fail to submit guides to good practice, the competent authority may develop and publish its own guides to good practice.

5.1.4. Provision of certificates of competence

Article 21 contains stipulations concerning the issuance of certificates of competence required by Article 7 of Regulation (EC) No 1099/2009.

Article 29(2) of Regulation (EC) No 1099/2009 includes a transitional provision until 8th December 2015 allowing these certificates of competence to be issued by way of a simplified procedure to persons demonstrating relevant professional experience of at least three years.

5.2. Planning of official controls

Article 3 of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency taking account of (a) identified risks that may influence animal welfare (b) business operators' past record (c) the reliability of any own checks (d) any information that might indicate non-compliance.

Article 41 of Regulation (EC) No 882/2004 requires each Member State to have a single integrated multi-annual national control plan and Article 42 requires the plan to contain information on the strategic objectives of the plan and on how the prioritisation of controls and allocation of resources reflect these objectives. Amendments may be made in the light of, or in order to take account of, factors including new legislation.

Article 4(9) of Regulation (EC) No 854/2004 requires the nature and intensity of auditing tasks in respect of individual establishments to depend upon the assessed risk. Further it states that in the case of slaughterhouses this assessment should include animal welfare aspects.

5.3. Official controls on business operator's obligations

Article 8 of Regulation (EC) No 882/2004 requires that competent authorities carry out their official controls in accordance with documented procedures, containing information and instructions for staff performing official controls.

Article 9 of the above Regulation requires competent authorities to draw up reports on the official controls carried out, including a description of the purpose of official controls, the methods applied, the results obtained and any action to be taken by the business operator concerned.

Article 10(2)(a) of Regulation (EC) No 882/2004 requires that official controls shall include the examination of any control systems that BOs have put in place and the results obtained.

Article 5(1)(c) and Section I, Annex I, to Regulation (EC) No 854/2004 requires that official veterinarians carry out inspection tasks at slaughterhouses to verify compliance with relevant Community and national rules on animal welfare at the time of slaughter and during transport.

Article 6 of Regulation (EC) No 1099/2009 requires BOs to plan in advance the killing of animals and related operations and to carry them out in accordance with standard operating procedures (SOPs).

Article 17 of Regulation (EC) No 1099/2009 requires BOs to designate an AWO for each slaughterhouse to assist them in ensuring compliance with the rules laid down in the regulation.

5.3.1. Layout, construction, equipment and approval of slaughterhouses

Article 14 of Regulation (EC) No 1099/2009 requires BOs to ensure that the layout and construction of slaughterhouses and the equipment used therein comply with the rules set out in Annex II to the Regulation. Article 29 includes a transitional provision so that certain provisions of Directive 93/119/EC continue to apply until 8 December 2019 to layouts and equipment in operation before 1 January 2013.

Article 31(2) of Regulation (EC) No 882/2004 states that the CA shall establish procedures for BOs to follow when applying for approval of their establishments and Article 4(3) of Regulation (EC) No 853/2004 requires the CA to make an on-site visit as part of the procedure for approval of establishments. Article 14(2) of Regulation (EC) No 1099/2009 requires BOs when requested, to submit to the CA for each slaughterhouse at least the following: (a) the maximum number of animals per hour for each slaughter line (b) the categories of animals and weights for which the restraining or stunning equipment available may be used (c) the maximum capacity for each lairage area. The CA shall assess the information submitted when approving the slaughterhouse.

5.3.2. Handling and restraining operations at slaughterhouses

Article 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment used for restraining animals is maintained and checked according to manufacturers' instructions, by persons specifically trained for that purpose.

Article 15 of Regulation (EC) No 1099/2009 requires BOs to ensure that the operational rules for slaughterhouses set out in Annex III are complied with. In addition it provides details concerning forbidden methods of restraint, as well as restraining methods and equipment in the case of particular methods of slaughter prescribed by religious rites.

5.3.3. Stunning methods and checks on stunning

Stunning methods and respective requirements are specified in Annex I of Regulation (EC) No 1099/2009. Article 5 of Regulation (EC) No 1099/2009 requires BOs to carry out regular checks on a sufficiently representative sample of animals, at a frequency established according to specified risk factors, to ensure that the animals do not present any sign of consciousness or sensibility between the end of the stunning process and death.

Article 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment for stunning animals is maintained and checked according to manufacturers' instructions.

Article 16 of Regulation (EC) No 1099/2009 requires BOs to put in place and implement appropriate monitoring procedures to perform the checks on stunning required under Article 5.

5.3.4. Derogation to perform slaughter without stunning

Article 4(4) of Regulation (EC) No 1099/2009 indicates that in the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements for stunning methods do not apply provided that the slaughter takes place in a slaughterhouse.

5.4. Killing outside slaughterhouses

Article 6 of Regulation (EC) No 1099/2009 requires BOs to plan in advance the killing of animals and related activities and shall carry them out in accordance with standard operating procedures (SOPs).

Article 7 of Regulation (EC) No 1099/2009 requires that killing and related operations shall only be carried out by persons with the appropriate level of competence to do so without causing the animals any avoidable pain, distress or suffering.

Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005 requires that only animals which are fit for the journey are transported.

Regulation (EC) No 853/2004 Annex III Section I Chapter VI allows sending to the slaughterhouse the carcasses of animals which have suffered an accident and have undergone emergency slaughter for welfare reasons.

Article 7(3) of Regulation (EC) No 1099/2009 requires the killing of fur animals to be carried out in the presence and under the direct supervision of a person holding a certificate of competence issued for all the operations carried out under his supervision and that BOs of fur farms shall notify the competent authority in advance when animals are to be killed.

5.5. Monitoring of broiler welfare at the slaughterhouse and follow up

Article 3(1)(b) of Directive 2007/43/EC states that the required inspections, monitoring and follow-up at slaughterhouses, including those provided for in its Annex III, are carried out by the CA or OV.

Point 3 of Annex III to Directive 2007/43/EC states that if the mortality rate or the results of the post mortem inspection are consistent with poor animal welfare conditions, the official veterinarian shall communicate the data to the owner or keeper of the animals and to the competent authority. Appropriate actions are taken by the owner or keeper of the animals and by the CA.

5.6. Actions taken in case of non-compliance

Article 22 of Regulation (EC) No 1099/2009 indicates the competent authority may (a) require business operators to amend their standard operating procedures and, in particular, slow down or stop production (b) require business operators to increase the frequency of the checks and amend the monitoring procedures (c) suspend or withdraw certificates of competence (d) suspend or withdraw the delegation of power regarding certificates of competence (e) require the amendment of manufacturers' instructions.

Article 23 of Regulation (EC) No 1099/2009 requires each Member State to lay down the rules on penalties applicable to infringements of this Regulation and take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

5.7. Evaluation and review of official controls

Article 4 of Regulation (EC) No 882/2004 requires the competent authorities to ensure the

effectiveness and appropriateness of official controls and the impartiality, consistency and quality of official controls at all levels. Article 4(6) of Regulation (EC) No 882/2004 competent authorities are required to carry out internal audits, or have external audits carried out. These must be subject to independent scrutiny and carried out in a transparent manner.

Article 8(3) of Regulation (EC) No 882/2004 states that the CA must have procedures in place to verify the effectiveness of official controls and to ensure that corrective action is taken when needed and that the documentation is updated as appropriate.